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Ahmad, Kamal	Bonus I Deputy, Century Station
[redacted]	Sergeant, Century Station
[redacted]	[redacted]
[redacted]	[redacted]
[redacted]	Lieutenant, C.O.P.S. Bureau
Hoffman, Richard	Deputy, Century Station
Jurado, Gilbert	Deputy, Century Station
Morrow, Travis	Deputy, Century Station
Munoz, Raymond	Deputy, Century Station
Perez, John K.	Deputy, Century Station
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Zollo, William	Deputy, Century Station

addendum approved

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761551N25A - SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: September 7, 2005

OFFICE CORRESPONDENCE FILE:

FROM: JOHNNY G. JURADO, COMMANDER
LEADERSHIP & TRAINING DIVISION

TO: STEVEN M. ROLLER, CAPTAIN
CENTURY STATION
THOMAS E. SPENCER, CAPTAIN
SPECIAL ENFORCEMENT BUREAU

SUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS HIT SHOOTING, AUGUST 24, 2003, INVESTIGATION #2101999**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on August 24, 2003.

The Committee met on September 6, 2005, and consisted of myself and Commanders Thomas Angel (FOR III) and Robert Binkley (FOR III). The Committee deemed:

- as **Unfounded** the allegation that Lieutenant [redacted] #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: leadership and communication) and
- as **Unresolved** the allegation that Sergeant [redacted] #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: leadership and communication) and
- as **Unfounded** the allegation that Deputy Ahmad Kamal #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and
- as **Unresolved** the allegation that Deputy Richard Hoffman #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and
- as **Founded** the allegation that Deputy Ronald Licata #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and
- as **Founded** the allegation that Deputy [redacted] #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and
- as **Founded** the allegation that Deputy Travis Morrow #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and

- as **Founded** the allegation that Deputy Raymond Munoz #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and

- as **Unresolved** the allegation that Deputy David Piquette #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and

- as **Founded** the allegation that Deputy William Zollo #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and

- as **Unfounded** the allegation that Deputy John K. Perez #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and

- as **Unresolved** the allegation that Deputy Gilbert Jurado #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics) and

- as **Founded** the allegation that Sergeant [redacted] #[redacted] violated the Department's Manual of Policy and Procedure section(s) 3-01/050.10, Performance to Standards, (re: tactics).

The Committee recommended that Deputies [redacted], Licata, Morrow, and Zollo be suspended for a period of **two (2) days** without pay from the position of Deputy; and Deputy Munoz be suspended for a period of **three (3) days** without pay from the position of Deputy; Sergeant [redacted] be suspended for a period of **five (5) days** from the position of Sergeant.

JGJ:MAH:mh



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

September 20, 2005

Deputy Ronald Licata, #[redacted]

Dear Deputy Licata:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

    a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted]

Prior to determining this disciplinary action, your unit commander thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding. If, however, you are currently on some type of authorized leave, or are otherwise incapacitated or unavailable, you may opt to contact your unit commander in writing and request that this matter be held in abeyance until such time as you are released by your physician, or are able to return work.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

You may receive a copy of the material on which the discipline is based by contacting Tajuana Moore of the Internal Affairs Bureau at ([redacted]) [redacted] and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Karyn Mannis

Karyn Mannis, Captain
Commander, Internal Affairs Bureau



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

August 3, 2006

Certified Mail No. 7005 1820 0005 0043 1028

Deputy Raymond Munoz
[redacted]

Dear Deputy Munoz:

This letter is to inform you that the Sheriff's Department has rendered its decision on the grievance you filed on October 3, 2005. Employee Relations received the opinion from the Review Board hearing on July 12, 2006.

It is the decision of the Sheriff's Department that the grievance is granted in that the disposition of IAB File No. 2101999 shall be deemed "Unresolved," and the three (3) day suspension shall be rescinded.

Sincerely,

LEROY D. BACA, SHERIFF

R. Doyle Campbell

R. DOYLE CAMPBELL
ASSISTANT SHERIFF

FYI
Already updated
by Linda Hemingway
8/8/06



County of Los Angeles

Sheriff's Department Headquarters

4700 Ramona Boulevard

Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

September 20, 2005

Deputy Raymond Munoz, #[redacted]

Dear Deputy Munoz:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of three (3) days.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

    a) Firing a shotgun at Suspect Deondre Brunston even though you were not a designated shooter appointed by the on scene supervisor, Sergeant [redacted], and/or;

    b) firing a shotgun from a position of tactical disadvantage.

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

You may receive a copy of the material on which the discipline is based by contacting Tajuana Moore of the Internal Affairs Bureau at ([redacted]) [redacted] and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

SMR:KM:tm

c: Advocacy Unit
Employee Relations Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2101999)



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

January 4, 2006

Deputy Travis Morrow, #[redacted]
[redacted]

Dear Deputy Morrow:

On September 20, 2005, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2101999. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, Department executives determined that the recommended discipline is appropriate.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days effective January 17, 2006 through January 18, 2006.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

   a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted].

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

You may appeal the Department's action in this matter pursuant to Rule 18.01(c) of the Civil Service Rules.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

SMR:KM:tm

c: Advocacy Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Century Station/unit Personnel File



LEROY D. BACA, SHERIFF

County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



December 13, 2005

Certified Mail No. 7003 3110 0001 4839 0578

Deputy Travis Morrow
[redacted]

Dear Deputy Morrow:

This letter is to inform you that the Sheriff's Department has rendered its decision on the grievance you filed on September 21, 2005. Employee Relations received the opinion from the Review Board hearing on December 7, 2005.

It is the decision of the Sheriff's Department that the grievance is denied. The two (2) day suspension under IAB #2101999 shall stand.

Sincerely,

LEROY D. BACA, SHERIFF

R. Doyle Campbell

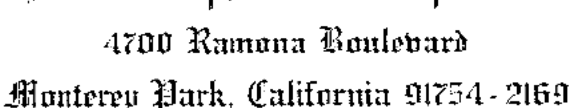
R. DOYLE CAMPBELL
ASSISTANT SHERIFF

TW 12/19/05

A Tradition of Service



LEROY D. BACA, SHERIFF





September 20, 2005

Deputy Travis Morrow, #[redacted]
[redacted]

Dear Deputy Morrow:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

    a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted].

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

You may receive a copy of the material on which the discipline is based by contacting Tajuana Moore of the Internal Affairs Bureau at ([redacted], and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

SMR:KM:tm

c: Advocacy Unit
Employee Relations Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2101999)



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

January 11, 2006

Deputy [redacted] #[redacted]
[redacted]

Dear Deputy [redacted]

On September 21, 2005, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2101999. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. However, after review and consideration of the response submitted to support your position, Department executives determined that the recommended discipline is appropriate.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days effective January 12, 2006 through January 13, 2006.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

   a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted]

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

You may appeal the Department's action in this matter pursuant to Rule 18.01(c) of the Civil Service Rules.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures and Civil Service Rules.

SMR:KM:rjb

c: Advocacy Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Operations Safe Streets Bureau/unit Personnel File



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

December 13, 2005

Certified Mail No. 7003 3110 0001 4839 0387



Deputy [redacted]

Dear Deputy [redacted]

This letter is to inform you that the Sheriff's Department has rendered its decision on the grievance you filed on September 28, 2005. Employee Relations received the opinion from the Review Board hearing on December 7, 2005.

It is the decision of the Sheriff's Department that the grievance is denied. The two (2) day suspension under IAB No. 2101999 shall stand.

Sincerely,

LEROY D. BACA, SHERIFF

R. DOYLE CAMPBELL
ASSISTANT SHERIFF



County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

September 21, 2005



Deputy [redacted] #[redacted]
[redacted]

Dear Deputy [redacted]

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

   a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted]

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.



You may receive a copy of the material on which the discipline is based by contacting Reba Barnes of the Internal Affairs Bureau at ([redacted]) [redacted], and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

SMR:KM:rjb

c: Advocacy Unit
Employee Relations Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2101999)



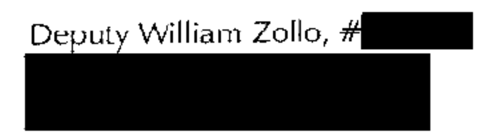
County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

November 17, 2005



Deputy William Zollo, #[redacted]

Dear Deputy Zollo:

On September 26, 2005, you were served with a Letter of Intention, indicating your right to respond to the Sheriff's Department's pending disciplinary action against you, as reported under File Number IAB 2101999. You were also advised of your right to review the material on which the discipline was based.

You did exercise your right to respond. After reviewing the response submitted to support your position, the Department executives have amended the recommended discipline.

You are hereby notified that you are suspended without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days. However, pursuant to a settlement agreement between you and the Department, one (1) of the two (2) days will be held in abeyance for a period of twelve (12) months which will end on October 20, 2006. If you should become the Subject of a founded administrative investigation, with similar violations, and the event occurred within the prescribed twelve (12) month time period, the one (1) day held in abeyance will be imposed. Additionally, you will be subject to further discipline for each and every founded violation of the Department's Manual of Policy and Procedures. All Departmental records will reflect, nevertheless, that you received a one (1) day suspension.

The effective date for the remaining one (1) day suspension is November 18, 2005.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted].

Prior to imposing this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You will hereby take notice that any future acts of misconduct may result in more severe disciplinary action.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

Note: Attached for your convenience are excerpts of the applicable areas of the Manual of Policy and Procedures.

SMR:KM:av

c: Advocacy Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Personnel Administration
Office of Independent Review (OIR)
Operation Safes Streets Bureau/Unit Personnel File

SETTLEMENT AGREEMENT

PRELIMINARY STATEMENT

This agreement is entered into between the Los Angeles County Sheriff's Department (hereinafter referred to as "Department") and William Zollo, (hereinafter referred to as "Deputy Zollo"), Employee Number [redacted]

RECITALS

The Department and Deputy Zollo are interested parties in the investigation under Internal Affairs Bureau No. 2101999. Both desire to resolve all disputes arising as the result of that investigation, to avoid litigation and further administrative process upon the terms and conditions hereinafter set forth.

NOW THEREFORE, the Department and Deputy Zollo for and in consideration of the mutual covenants herein, agree as follow:

1. The Department, upon execution of this agreement, shall rescind the two (2) day suspension that was imposed as specified in the Letter of Imposition dated November 17, 2005.

2. The Department will reimburse Deputy Zollo for one (1) suspension day that was effective November 18, 2005, as soon as practicable. The other suspension day was held in abeyance and was never imposed.

3. All charges pursuant to this matter will be deemed "Unresolved".

4. Moreover, Deputy Zollo agrees to waive all rights in IAB Case Number 2101999, pursuant to Skelly v. State Personnel Board (1975) 15 Cal.3d 194 Cal.Rptr. 14.

5. Deputy Zollo agrees to waive any and all further administrative or judicial remedies with respect to the modified discipline as stated herein, including but not limited to the Los Angeles County Civil Service Commission or the Los Angeles County Employee Relations Commission.

6. The parties further agree that this settlement shall not be considered, cited or used in any future dispute between the Department and any other department employee as establishing precedent or past employment practice. This Agreement resolves the dispute between Deputy Zollo and the Department, and is not to be applied to any other facts or disputes.

7. In consideration of the terms and conditions set forth herein, Deputy Zollo agrees to fully release, acquit and forever discharge the County, their heirs, successors, assigns, and legal representatives from any and all liability whatsoever for any and all claims arising out of or connected with the employment relationship between the County and Deputy Zollo concerning the subject matter referred to herein. Additionally, Deputy Zollo specifically acknowledges that he has not been the subject of discrimination in any form, including but not limited to discrimination based upon age, race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status or sex, and that he has no claim against the Department for any such discrimination, whether any such claim is presently known or not known to him.

8. Deputy Zollo further agrees, with regard to this litigation, to relinquish and expressly waives all rights conferred upon him by the provisions of California Civil Code Section 1542, which reads as follows:

> "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

9. The parties agree that this Agreement may be specifically enforced in court and may be used as evidence in a subsequent proceeding in which any of the parties allege a breach of this Agreement.

10. This agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. A photocopy of facsimile transmission of the agreement, including signatures, shall be deemed to constitute evidence of the agreement having been executed.

11. The date of the last signature placed hereon shall hereinafter be known as the "date of execution" and the effective date" of this agreement.

12. The parties agree that this is the complete settlement agreement and that no other promises have been made by either party. The parties further agree that no changes may be made to this settlement agreement unless both parties reduce the changes to writing and sign them.

0303258

E36

13. Each party hereto represents and agrees that he/she or it has carefully read and fully understands all of the provisions of the Agreement, and that he/she or it is voluntarily, without any duress or undue influence on the part of or on behalf of any party, entering into this Agreement.

I have read the forgoing Settlement Agreement and I accept and agree to the provisions contained therein and hereby execute it voluntarily and with full understanding of its consequences. I further acknowledge that I have been afforded the opportunity to consult with legal counsel prior to signing this agreement.

W. M. Zollo

Deputy William Zollo, #[redacted]

5-11-08

Date

FOR THE DEPARTMENT:

Steven M. Roller, Captain

6/4/08

Date



County of Los Angeles

Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169



LEROY D. BACA, SHERIFF

September 26, 2005

Deputy William Zollo, #[redacted]

Dear Deputy Zollo:

You are hereby notified that it is the intention of the Sheriff's Department to suspend you without pay from your position of Deputy Sheriff, Item No. 2708A, with this Department for a period of two (2) days.

An investigation under File Number IAB 2101999, conducted by Internal Affairs Bureau, coupled with your own statements, has established the following:

1. That in violation of Manual of Policy and Procedures Section 3-01/050.10, Performance to Standards, on or about August 24, 2003, you failed to conform to the work standards established for your rank and/or position, as evidenced by but not limited to:

   a) Firing your weapon at Suspect Deondre Brunston despite not being one of the designated shooters specified by the on-scene supervisor, Sergeant [redacted].

Prior to determining this disciplinary action, I have thoroughly reviewed the incident and your record with this Department.

You have the right to grieve this disciplinary action within ten (10) business days of receipt of this letter. Your grievance procedures may be found in your classification's negotiated Memorandum of Understanding.

Failure to respond to this Letter of Intent within ten (10) business days will be considered a waiver of your right to grieve and will result in the imposition of this discipline indicated herein.

You may receive a copy of the material on which the discipline is based by contacting Angela Vargas of the Internal Affairs Bureau at (323) 890-5313, and arranging an appointment during the ten (10) day period in which you may respond.

The Sheriff's Department reserves the right to amend and/or add to this letter.

Sincerely,

LEROY D. BACA, SHERIFF

Original Signed

Steven M. Roller, Captain
Commander, Century Station

SMR:KM:av

c: Advocacy Unit
Employee Relations Unit
Ronnie M. Williams, Chief, Field Operations Region II
Internal Affairs Bureau
Office of Independent Review (OIR)
(File # IAB 2101999)



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF FRAUD AND CORRUPTION PROSECUTIONS
JUSTICE SYSTEM INTEGRITY DIVISION

STEVE COOLEY • District Attorney
CURT LIVESAY • Chief Deputy District Attorney
CURTIS A. HAZELL • Assistant District Attorney

RICHARD D. DOYLE • Director

September 27, 2004

Captain Raymond Peavy
Los Angeles County Sheriff's Department
5747 Rickenbacker Road
Commerce, California 90040

Re: J.S.I.D. File #: 03-0659
L.A.S.D. File #: 003-81081-2138-013

Dear Captain Peavy:

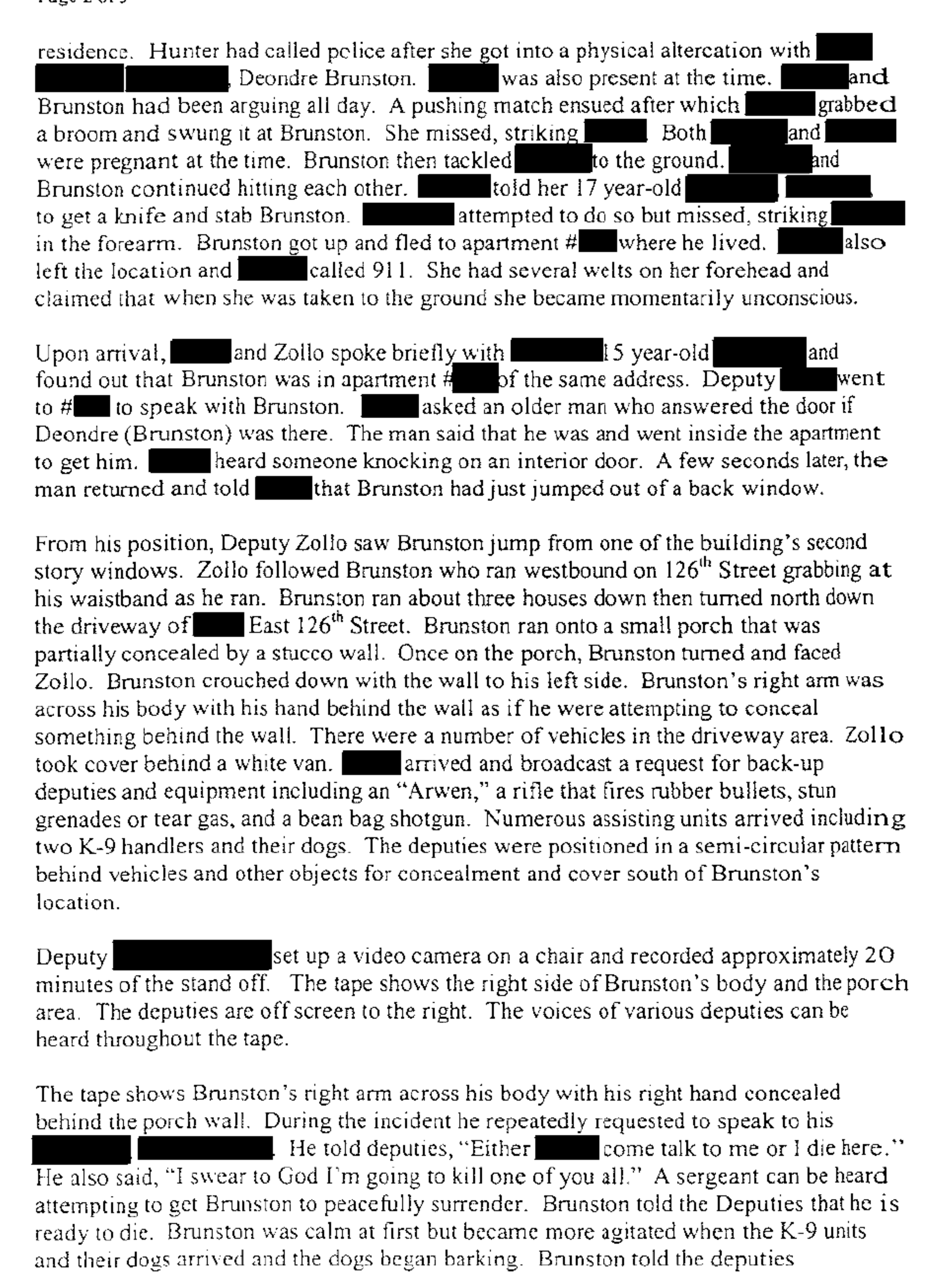
The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 24, 2003 fatal shooting of Deondre Brunston by Los Angeles County Sheriff's (LASD) Deputies [redacted] William Zollo, Ronald Licata, Travis Morrow, Kamal Ahmad, Raymond Munoz, Gilbert Jurado, John Perez, David Piquette, and Richard Hoffman. Based upon the information submitted to this office, we have determined that the deputies acted lawfully in self-defense and the defense of others.

The following analysis is based upon a series of reports prepared by the LASD submitted to this office on January 14, 2004, including a videotape depicting events leading up to the shooting and the shooting itself. The District Attorney Command Post was notified of this shooting at 10:00 p.m. on August 24, 2003. Deputy District Attorney Margo Baxter and District Attorney Senior Investigator [redacted] responded to the scene where they were given a briefing, provided with a "walk through" of the scene and participated in witness interviews. No compelled statements were presented or considered for purposes of this analysis.

FACTUAL ANALYSIS

On August 24, 2003, LASD Deputies [redacted] and Zollo were working a two-man patrol car when they received a radio call of a family disturbance at [redacted] 126th Street, #[redacted], in the city of Los Angeles. They responded to the location which was [redacted]

Clara Shortridge Foltz Criminal Justice Center
210 West Temple Street
Los Angeles, CA 90012-3210
(213) 974-3888
WEBSITE: http://da.co.la.ca.us



residence. Hunter had called police after she got into a physical altercation with [redacted], Deondre Brunston. [redacted] was also present at the time. [redacted] and Brunston had been arguing all day. A pushing match ensued after which [redacted] grabbed a broom and swung it at Brunston. She missed, striking [redacted]. Both [redacted] and [redacted] were pregnant at the time. Brunston then tackled [redacted] to the ground. [redacted] and Brunston continued hitting each other. [redacted] told her 17 year-old [redacted] to get a knife and stab Brunston. [redacted] attempted to do so but missed, striking [redacted] in the forearm. Brunston got up and fled to apartment #[redacted] where he lived. [redacted] also left the location and [redacted] called 911. She had several welts on her forehead and claimed that when she was taken to the ground she became momentarily unconscious.

Upon arrival, [redacted] and Zollo spoke briefly with [redacted] 15 year-old [redacted] and found out that Brunston was in apartment #[redacted] of the same address. Deputy [redacted] went to #[redacted] to speak with Brunston. [redacted] asked an older man who answered the door if Deondre (Brunston) was there. The man said that he was and went inside the apartment to get him. [redacted] heard someone knocking on an interior door. A few seconds later, the man returned and told [redacted] that Brunston had just jumped out of a back window.

From his position, Deputy Zollo saw Brunston jump from one of the building's second story windows. Zollo followed Brunston who ran westbound on 126th Street grabbing at his waistband as he ran. Brunston ran about three houses down then turned north down the driveway of [redacted] East 126th Street. Brunston ran onto a small porch that was partially concealed by a stucco wall. Once on the porch, Brunston turned and faced Zollo. Brunston crouched down with the wall to his left side. Brunston's right arm was across his body with his hand behind the wall as if he were attempting to conceal something behind the wall. There were a number of vehicles in the driveway area. Zollo took cover behind a white van. [redacted] arrived and broadcast a request for back-up deputies and equipment including an "Arwen," a rifle that fires rubber bullets, stun grenades or tear gas, and a bean bag shotgun. Numerous assisting units arrived including two K-9 handlers and their dogs. The deputies were positioned in a semi-circular pattern behind vehicles and other objects for concealment and cover south of Brunston's location.

Deputy [redacted] set up a video camera on a chair and recorded approximately 20 minutes of the stand off. The tape shows the right side of Brunston's body and the porch area. The deputies are off screen to the right. The voices of various deputies can be heard throughout the tape.

The tape shows Brunston's right arm across his body with his right hand concealed behind the porch wall. During the incident he repeatedly requested to speak to his [redacted]. He told deputies, "Either [redacted] come talk to me or I die here." He also said, "I swear to God I'm going to kill one of you all." A sergeant can be heard attempting to get Brunston to peacefully surrender. Brunston told the Deputies that he is ready to die. Brunston was calm at first but became more agitated when the K-9 units and their dogs arrived and the dogs began barking. Brunston told the deputies

that if they deployed a dog or shot him with a bean bag shotgun he would shoot the dog. He also said, "Wherever that dog comes from, I'm shooting at y'all." He told the deputies he had "one gun with thirteen shots." He also told them that he is wanted for murder and was not going back to prison.

One of the K-9 handlers, later identified as Deputy [redacted] then spoke to Brunston. He told Brunston it was his last chance to put his gun down before a dog was released. At this point, Brunston rose up from a squat to a lunge position. His body was rigid and he was intensely focused on the deputies in front of him. As the dog was released, Brunston stood and extended his right arm and hand straight out in front of him. As he did so he released an object from his hand. Fearing that the object in Brunston's hand was a weapon, ten deputies fired upon him. Deputies [redacted] Zollo, Licata, Jurado, Piquette and Hoffman each fired multiple shots from their 9mm Beretta service weapons. Deputy Munoz and Morrow each fired one round from their departmentally issued shotguns. Deputy Ahmad fired 11 rounds from his departmentally issued Colt M16 rifle. Deputy Perez fired 8-10 rounds from his departmentally issued AR-15 rifle.

Brunston suffered multiple gunshot wounds and was pronounced dead at the scene by paramedics who were standing by at the location at the time of the shooting. The deployed dog was also fatally wounded by deputy fire. It was determined that contrary to his words and actions, Brunston had not been armed with a firearm. A small black sandal was found in the immediate vicinity and may have been the object seen in Brunston's hand as he stood up and extended his right arm towards the deputies.

An autopsy was conducted on August 26, 2003, by Los Angeles County Deputy Medical Examiner, Raffi S. Djabourian, M.D. The cause of death was determined to be multiple gunshot wounds.

[redacted] and her [redacted], [redacted] were subsequently interviewed regarding Brunston. [redacted] told investigators that she and Brunston had been [redacted] for nearly [redacted] years. She characterized Brunston as mentally unstable; when he feared he may lose her he talked about committing suicide. [redacted] also told investigators that Brunston told her several times that he wanted to kill himself and that he did not have much to live for.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of another if it reasonably appears that the person claiming the right of self-defense or the defense of another actually and reasonably believed that he was in imminent danger of great bodily injury or death. People v. Williams, (1977) 75 Cal.App.3d 731.

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar

circumstances, to be necessary to prevent the injury which appears to be imminent. CALJIC 5.30, 5.32.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh into nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

Actual danger is not necessary to justify the use of deadly force in self-defense. If one is confronted by the appearance of danger which one believes, and a reasonable person in the same position would believe, would result in death or great bodily injury, one may act upon those circumstances. The right of self defense is the same whether the danger is real or apparent. People v. Toledo (1948) 85 Cal.App.2d 577.

CONCLUSION

On August 24, 2003, Deondre Brunston did everything he could to convince deputies at the scene that he was in possession of a loaded firearm and was going to use it to shoot as many deputies as possible. According to [redacted] and her [redacted] Brunston was suicidal. Attempts to negotiate a peaceful surrender were unsuccessful. A K-9 Unit dog was deployed in an attempt to end the standoff without deadly force. As soon as the dog was released, Brunston abruptly stood up and fully extended his right arm toward the deputies. Brunston had a black object in his hand which he released toward the deputies. Ten deputies, in fear for their own lives and those of their fellow deputies, fired multiple rounds from various service weapons fatally wounding Brunston.

We conclude that Deputies [redacted], Zollo, Licata, Morrow, Ahmad, Munoz, Jurado, Perez, Piquette and Hoffman acted in lawful self-defense and defense of others. We are closing our file and will take no further action regarding this matter.

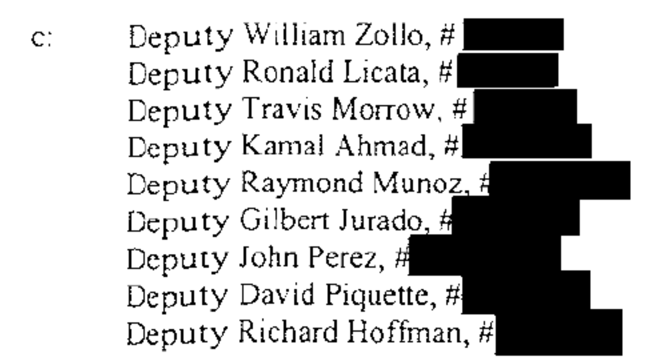
Very truly yours,

STEVE COOLEY
District Attorney

By

MARGO BAXTER
Deputy District Attorney
(213) 974-3888

c: Deputy [redacted] # [redacted]



c: Deputy William Zollo, #[redacted]
Deputy Ronald Licata, #[redacted]
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Deputy Kamal Ahmad, #[redacted]
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Deputy Gilbert Jurado, #[redacted]
Deputy John Perez, #[redacted]
Deputy David Piquette, #[redacted]
Deputy Richard Hoffman, #[redacted]